

REMARKS/ARGUMENTS

In response to the Office Action dated December 28, 2005, Claims 1-10, 26 and 28-33 remain in this application. Claim 1 has been amended. Claims 59-63 have been added. Claims 12, and 34-39 are hereby cancelled.

Claim 12 was objected to.

Claims 1-10, 12, 26, and 28-33 were rejected under 35 USC 112, second paragraph.

Claims 1-10, 12, 26, and 28-33 were rejected under 35 USC 102(e).

Claims 1-10, 12, 26, and 28-33 are rejected under double patenting.

Claim Objections

Claim 12 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicants hereby cancel Claim 12 to overcome the claim objection under 37 CFR 1.75(c).

Claim Rejections - 35 USC § 112

Claims 1-10, 12, 26, and 28-33 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants have amended Claim 1 and cancelled Claim 29 to overcome the rejection of the claims USC 112, second paragraph.

Claim Rejections - 35 USC § 102

Claims 1-10, 12, 26, and 28-33 are rejected under 35 USC 102(e) as being anticipated by U.S. Patent Application

Publication 2003/0029567 to Dhindsa et al. Dhindsa fails to disclose the gas distribution apparatus corresponding to the language added to Claim 1 by this amendment. These features, particularly the center gas orifice that is fed different gas (i.e., oxygen) from the outer orifices together with the coupling of ion implantation process gas supplies to the outer orifices, are unique to the ion implantation reactor of Claim 1. Attention is drawn particularly to newly added Claims 59-63 in this regard.

Double Patenting

Claims 1-8, 10, 12, and 29-33 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5 and 53-58 of co-pending Application No. 10/646,612.

Claims 1-8, 10, 12, and 29-33 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8, 31-33, 57 and 58 of co-pending Application No. 10/646,526.

Claims 9, 26 and 28 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claim 1 of co-pending Application No. 10/646,612 in view of Dhindsa et al., or alternatively, over claim 1 of co-pending Application No. 10./646,526 in view of Dhindsa et al.

Applicants submit herewith a Terminal Disclaimer to obviate the double patenting rejection over co-pending Application No. 10/646,612. Applicants submit herewith a Terminal Disclaimer to obviate the double patenting rejection over co-pending Application No. 10/646,526.

SUMMARY

In view of the foregoing corrections and remarks, it is felt that the claim objection, claim rejections under 35 USC 112, second paragraph, 35 USC 102(e), and the double-patenting rejections have been overcome. Therefore, withdrawal of these rejections is respectfully requested and allowance of the application is earnestly solicited.

If, However, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, the Examiner should telephone Robert Wallace at (805) 644-4035 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,



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